

PERMIT CONDITIONS FOR CUTBACK AND EMULSIFIED ASPHALT:

A. OPERATIONAL LIMITATIONS

- 1) The VOC content of asphalt materials shall be limited as follows:
 - a) The Permittee shall not use or apply the following materials for paving, construction, or maintenance of highways, streets, driveways, parking lots, roads, nor shall they be applied onto soil and earthworks:
 - (1) Rapid cure cutback asphalt.
 - (2) Any cutback asphalt material, road oils, or tar which contains more than 0.5 percent by volume VOCs which evaporate at 500⁰F (260⁰C) or less using ASTM Test Method D 402-76.
 - (3) Any emulsified asphalt or emulsified tar containing more than 3.0 percent by volume VOCs which evaporate at 500⁰F (260⁰C) or less as determined by ASTM Method D 244-89.
[County Rule 340 §301] [SIP Rule 340 §301]
 - b) The Permittee shall not store for use any emulsified or cutback asphalt product which contains more than 0.5 percent by volume solvent-VOC unless such material lot includes a designation of solvent-VOC content on data sheet(s) expressed in percent solvent-VOC by volume.
[County Rule 340 §303] [SIP Rule 340 §303]
- 2) The VOC content limitations of this Permit Condition do not apply to the following:
 - a) Asphalt that is used solely as a penetrating prime coat and which is not a rapid cure cutback asphalt. Penetrating prime coats do not include dust palliatives or tack coats.
[County 340 §302.1] [SIP Rule 340 §302.1]
 - b) The Permittee may use up to 3.0 percent solvent-VOC by volume for batches of asphalt rubber which cannot meet paving specifications by adding heat alone only if request is made to the Control Officer, who shall evaluate such requests on a case-by-case basis. The Permittee shall keep complete records and full information is supplied including savings realized by using discarded tires. The Permittee shall not exceed 1100 lbs (500 kg) usage of solvent-VOC in asphalt rubber in a calendar year unless the Permittee can demonstrate that in the previous 12 months no solvent-VOC has been added to at least 95 percent by weight of all the asphalt rubber binder made by the Permittee or caused to be made for the Permittee. This Permit Condition does not apply to batches which yield 0.5 percent or less solvent-VOC evaporated using the test in County Rule 340 § 502.1.
[County 340 §302.3] [SIP Rule 340 §302.3]

B. MONITORING/RECORDKEEPING

[County 340 §501] [SIP Rule 340 §501] [County Rule 210 §302.1.c.(2)]

The Permittee shall keep daily records of the amount and type of asphaltic/bituminous material containing more than 0.5 percent by volume solvent-VOCs which is used at the facility. Records must show the solvent-VOC content of this material.

Material Safety Data Sheets (MSDS) or technical data sheets shall be kept available for any asphalt materials used at the facility. Records must be maintained in a readily accessible location and must be made available to the Control Officer upon request.

C. REPORTING: [County Rule 210 §302.1.e.(1)]

The Permittee shall include the following information in the semiannual compliance report required by these Permit Conditions:

- 1) A statement as to whether the recordkeeping requirements of these Permit Conditions relating to asphalt usage were met.
- 2) A listing of any asphalt used that exceeded the VOC content limitations of Permit Condition A. 1) of this section and whether the exceedance was covered by an exemption covered by Permit Condition A. 2) of this section or whether it was a deviation from the requirements of this Permit Condition.

D. TESTING: [County 340 §502] [SIP Rule 340 §502]

If required by the Control Officer the applicable testing procedures contained in County Rule 340 § 502 and SIP Rule 340 § 502 shall be used to determine compliance with these Permit Conditions.